

Federal Operating Permit

This permit is based upon Federal Clean Air Act federal operating permit requirements of Title V and Chapter 140 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, 9 VAC 5-80-50 through 9 VAC 5-80-300, and 9 VAC 5-140-10 through 9 VAC 5-140-930 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Dan River Inc.
Facility Name:	Dan River Inc., Schoolfield Plant
Facility Location:	1100 West Main Street, Danville, Virginia
DEQ Registration Number:	30240
Permit Number	SCRO30240
AFS Identification No.:	51-590-00002

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Sections I through X)

Federal Enforceable Requirements - NO_x Budget Trading Requirements (Section XI)

Effective Date	December 26, 2001
Minor Permit Modification Date	March 16, 2004
Expiration Date	December 26, 2006

Robert G. Burnley
Director, Department of Environmental Quality

March 16, 2004
Signature Date

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I. Facility Information

Permittee

Dan River Inc.
P.O. Box 261
Danville, Virginia 24543

Responsible Official

G. R. Boozer
Executive Vice President Manufacturing

NOx Budget Trading Authorized Account Representative

W. K. Schwalbe
Director Engineering, Environment, and Safety
USEPA AAR ID Number: 600835

Facility Location

Dan River Schoolfield
1100 West Main Street
Danville, Virginia

Contact Person

Patty W. Gann
Environmental Engineer
434-799-7389

AFS Identification Number: 51-590-0002

ORIS/Facility Code: 50954

Facility Description: SIC Codes 2211, 2221, 2261, 2262, and 2269 / NAISC ID Codes 313210, 313311, and 313312 – The Dan River Schoolfield plant, in operation since 1904, manufactures cotton/polyester textile goods for use in apparel and home furnishings. Raw materials (cotton and polyester) are received in bale form. This material is processed in a variety of operations that may include yarn manufacture, slashing, weaving, inspection, and yarn dyeing. Finishing operations include screen printing and, for home fashion products, cut and sew operations. Support operations include boilers for the production of process steam.

There are currently four air permits for this facility. Two permits issued in the 1990's are for #404 and 405 Screen Print Ranges. The third permit was issued in January of 2000 for the #124 Thermosol dye range. The fourth permit, including Finishing Ranges #181 and 182 and Screen Print Range #403 was issued on September 11, 2001.

II. Emission Units

Equipment to be operated consists of:

A. Significant Emissions Units

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment							
15	B1	Combustion Engineering coal, #2 fuel oil, natural gas boiler; constructed 1946	190 MMBtu/hr input	Belco Pollution Control Corp. ESP	EP15	PM	N/A
16	B1	Combustion Engineering #2 fuel oil, natural gas boiler; constructed 1950	114 MMBtu/hr input	none	n/a	n/a	N/A
17 (NATS ID 50954000017)	B1	Combustion Engineering coal, #2 fuel oil, natural gas boiler; constructed 1952	252 MMBtu/hr input	Belco Pollution Control Corp. ESP	EP17	PM	N/A
Slashing							
S1	S1 (1-4)	(4) West Point Slashers installed 1988 – 1998	125 ypm each	none	N/A	--	N/A
S2	S2 (1-5)	(5) Cocker Slashers installed 1965	110 ypm each	none	N/A	--	N/A
S2	S2 (6-8)	(3) West Point Slashers installed 1980-1986	110 ypm each	none	N/A	--	N/A
Finishing Ranges							
201	F 201	Finishing Range installed 1971	125 ypm	none	N/A	--	N/A
207 and 209	F207 and F209	(2) Finishing Ranges installed 1952 – 1971	150 ypm each		N/A	--	N/A
208	F208	Finishing Range installed 1952	120 ypm		N/A	--	N/A
411	F411	Finishing Range installed 1973	200 ypm	none	N/A	--	N/A
181	F181	Sheeting Range installed 1994	105 ypm	none			09/11/01

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
182	F182	Sheeting Range installed 1987	105 ypm	none			09/11/01
Screen Print Ranges							
404	SP 404	(1) Screen Print Range	150 ypm	none	N/A	--	10/29/92
405	SP 405	(1) Screen Print Range	150 ypm	none	N/A	--	09/28/94
403	SP 403	(1) Screen Print Range installed 1987	150 ypm	none	N/A	--	09/11/01
401, 402,	SP (401 - 402)	(2) Screen Print Ranges installed 1971, 1972	125 ypm each	none	N/A	--	N/A
Thermosol Dye Ranges							
124	TDR 124	(1) Thermosol Dye Range installed 2000	150 ypm	none	N/A	--	01/06/00
121, 123	TDR 121, 123	(2) Thermosol Dye Ranges installed 1964, 1968	100 ypm each	none	N/A	--	N/A
122	TDR 122	(1) Thermosol Dye Range installed 1979	110 ypm	none	N/A	--	N/A

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

B. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
Process Equipment				
112, 115, 111	(3) Bleach Ranges	9 VAC 5-80-720 B.1,2	VOC, PM	112 at 300 ypm, 115 at 130 ypm, 111 at 250 ypm
101	(1) Heat Set Range	9 VAC 5-80-720 B.2	VOC	150 ypm
106	(1) Mercerizer	9 VAC 5-80-720 B.1	PM	125 ypm
107, 117, 218	(3) Dry Can Ranges	None	n/a	300 ypm
205	Washer	None	n/a	100 ypm
221, 222, 223	(3) Perkins Calendars	9 VAC 5-80-720 B.1	PM	40 ypm
233	Sander	None	n/a	30 ypm
236, 237	(2) Nappers	None	n/a	
316	(1) Sanforizer			150 ypm
333, 334	(2) Verduin Calenders	9 VAC 5-80-720 B.1	PM	40 ypm
ID-1	Indigo Dye House	9 VAC 5-80-720 B.5	ethylene glycol and glycol ethers	28 ypm
#1 Dyehouse	(111)Pressure dye kiers	9 VAC 5-80-720 B.2	VOC	
Generators				
COM1	Diesel generator	9 VAC 5-80-720 C.1.a	n/a	30 hp
ELEC1	Diesel generator	9 VAC 5-80-720 C.1.a	n/a	50 hp
FIRE1	Diesel fire pump	9 VAC 5-80-720 C.1.a	n/a	290 hp
Storage Tanks				
TUGF1	(1) gasoline UST	9 VAC 5-80-720 B.2	VOC	8,000 gal
TUGF2	(1) diesel fuel AST	9 VAC 5-80-720 B.2	VOC	8,000 gal
SC1, SC2	(2) #2 f.o. ASTs	9 VAC 5-80-720 B.2	VOC	18,000 gal each
SC4	(1) diesel fuel AST	9 VAC 5-80-720 B.2	VOC	2,000 gal
SC6	(1) #2 fuel oil AST	9 VAC 5-80-720 B.2	VOC	275 gal each
3-6, 7	(2) 17½% acetic acid ASTs	9 VAC 5-80-720 B.2	VOC	10,000 gal each
3-22, 23	(2) 17½% acetic acid ASTs	9 VAC 5-80-720 B.2	VOC	6,000 gal each
Propane	(4) Propane (backup fuel)	9 VAC 5-80-720 B.2	VOC	30,000 gal each
Chlorine	(8) 1-ton chlorine cylinders	9 VAC 5-80-720 B.5	chlorine	16,000 lbs (total)
Miscellaneous				
Coal Handling	Coal Unloading	9 VAC 5-80-720 B.1	PM	155,000 tpy
Ash Handling	Ash Handling	9 VAC 5-80-720 B.1	PM	62 tpy

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

III. Fuel Burning Equipment – (Boilers #15, 16, and 17)

A. Fuel Burning Limitations

1. Emissions from the operation of the #15 boiler shall not exceed the limits specified below:

Total Suspended Particulate	0.21 lbs/MMBtu
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Sulfur Dioxide	502 lbs/hr
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(9 VAC 5-80-110, 9 VAC 5-40-880, 9 VAC 5-40-900, and 9 VAC 5-40-930)

2. Emissions from the operation of the #16 boiler shall not exceed the limits specified below:

Total Suspended Particulate	0.21 lbs/MMBtu
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Sulfur Dioxide	301 lbs/hr
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(9 VAC 5-80-110, 9 VAC 5-40-880, 9 VAC 5-40-900, and 9 VAC 5-40-930)

3. Emissions from the operation of the #17 boiler shall not exceed the limits specified below:

Total Suspended Particulate	0.21 lbs/MMBtu
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Sulfur Dioxide	665 lbs/hr
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(9 VAC 5-80-110, 9 VAC 5-40-880, 9 VAC 5-40-900, and 9 VAC 5-40-930)

4. PM emissions from the coal-fired Combustion Engineering boilers (#15 and 17) shall be controlled by the use of electrostatic precipitators (ESPs).
(9 VAC 5-80-110)

5. The approved fuels for the #15 and 17 boilers are coal, natural gas, and No. 2 fuel oil.
(9 VAC 5-80-110)

6. The approved fuels for the #16 boiler are natural gas and No. 2 fuel oil.
(9 VAC 5-80-110)

7. Visible Emissions from the boiler stack (B1) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall

not exceed 60 percent opacity:
(9 VAC 5-40-80 and 9 VAC 5-80-110)

8. Boiler emissions shall be controlled by proper operation and maintenance. Boiler operators shall be trained in the proper operation of the boilers and ESPs. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum.
(9 VAC 5-80-110)

B. Fuel Burning Monitoring

1. The ESPs (EP15 and 17) shall be equipped with a device to measure the voltage and current in each of the three fields of each ESP. These devices shall be installed in an accessible location and shall be maintained by the permittee such that they are in proper working order at all times.
(9 VAC 5-80-110)
2. Continuous emission monitoring systems shall be installed, calibrated, maintained, and operated as specified in Condition III.B.3 to monitor and record opacity from the ESP (EP17) outlet for boiler 17.
(9 VAC 5-80-110, 9 VAC 5-40-40, and 9 VAC 5-40-1000)
3. Installation, calibration, maintenance, and operation requirements for the continuous opacity monitoring system (COMS):
 - a. The permittee shall check the zero and span drift in accordance with the provisions of 9 VAC 5-40-41.B.2
 - b. Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under Condition III.B.3.a, the COMS shall be in continuous operation and shall complete a minimum of one cycle of sampling and analyzing for each successive 15-second period and one cycle of data recording for each successive six-minute period.
 - c. The permittee shall reduce all COMS data to six-minute averages for six-minute periods. Six-minute opacity averages shall be calculated from 24 or more data points spaced at approximately equal intervals over each six-minute period, and shall be rounded to the nearest one percent. Data recorded during periods of system breakdowns, repairs, calibration checks and zero and span adjustments shall not be included in the data averages computed under this Condition.

(9 VAC 5-80-110, 9 VAC 5-40-41, and 9 VAC 5-40-1000)
4. At least one time per calendar week an observation of the presence of visible emissions from the boiler stack (B1) shall be made. The presence of visible emissions shall require the permittee to:

- a. take timely corrective action such that the boilers resume operation with no visible emissions, or,
- b. conduct a visible emission evaluation (VEE) on the boiler stack, with visible emissions, in accordance with EPA Method 9 (reference 40 CFR 60, Appendix A) for a minimum of six (6) minutes, to assure visible emissions from the boiler are 20 percent opacity or less. If any of the observations exceed the opacity limitation of 20 percent, the observation period shall continue until a total of sixty (60) minutes of observation have been completed. Timely corrective action shall be taken, if necessary, such that the boiler resumes operation in compliance with the visible emission limitations listed in Condition III.A.7 of this section.

The permittee shall maintain a boiler stack observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of the observer. If any boiler has not been operated for any period during the week it shall be noted in the log book. If #17 boiler is solely operating, CEM data generated as specified in Condition III.B.2 of this section may be substituted for Method 9.

(9 VAC 5-80-110 E, 9 VAC 5-80-110 K)

5. At a frequency not to exceed five (5) years, the permittee shall conduct stack tests for PM and concurrent visible emission examination (Ref. 40 CFR 60, Appendix A, Method 5 and Method 9) from the Combustion Engineering (15 and 17) boilers to demonstrate compliance with the particulate pound per million Btu (heat input) emission limits contained in Conditions III.A.1 and A.3 of this permit. The tests shall be performed within 180 days after the effective date of this permit. The tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30. The details of the tests shall be arranged with the South Central Regional Office. The permittee shall submit a test protocol at least 30 days prior to testing. Two copies of the test results shall be submitted to the South Central Regional Office within 60 days after test completion and shall conform to the test report format enclosed with this permit.

(9 VAC 5-50-30 and 9 VAC 5-80-10 J)

C. Fuel Burning Recordkeeping and Reporting

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to:
 - a. The annual throughput of coal (in tons), natural gas (in million cubic feet), and No. 2 fuel oil (in 1000 gallons) for the boilers (15, 16, and 17) and the F-factor, pollutant-specific emission factors, and emission equations for each boilers.
 - b. The sulfur content of the coal burned in the boilers.

- c. Results of the weekly visual observation of the boiler stack (B1) as specified in Condition III.B.4 of this section, along with any corrective actions.
- d. CEM records for opacity from the #17 boiler as specified in Condition III.B.2 of this section. These records are to be submitted quarterly to the South Central Regional Office.
- e. The voltage and current in each of the three fields of each ESP (EP15 and 17) as specified in Condition III.B.1 of this section.
- f. Records of training provided in accordance with Condition III.A.8 of this section, including the names of trainees, the date of training and the nature of the training.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-110)

D. Fuel Burning Testing

Boilers #15, 16, and 17 shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-40-30 and 9 VAC 5-80-110)

IV. Slashers - (S-1 and S-2)

A. Slasher Recordkeeping

- 1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to:
 - a. Annual VOC and HAP emissions from the slashers. The permittee will keep records of the equations, certified product data sheets or equivalent references, emission equations, and all supporting documentation.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50, 9 VAC 5-80-110)

B. Slasher Testing

Slashers in S1 and S2 shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-40-30)

V. Finishing Ranges – (201, 207, 181, 182, 208, 209, and 411)

A. Finishing Range Limitations

1. Visible emissions from finishing ranges #201, 207, 208, and 209 shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity.
(9 VAC 5-40-80 and 9 VAC 5-80-110)
2. Visible emissions from finishing range # 411 shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity. This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-50-80 and 9 VAC 5-80-110)
3. Visible emissions from finishing ranges #181 and 182 shall not exceed 20 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-50-80, 9 VAC 5-80-110, and Condition 7 of 09/11/01 Permit)
4. Emissions from the operation of the Aztec finishing range (#182) shall not exceed the limits specified below:

Volatile Organic Compounds	33.5 tons/yr
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Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period

(9 VAC 5-80-10, 9 VAC 5-80-110, and Condition 4 of 09/11/01 Permit)

5. Emissions from the operation of the Monforts finishing range (#181) shall not exceed the limits specified below:

Volatile Organic Compounds	33.5 tons/yr
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Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period

(9 VAC 5-80-10, 9 VAC 5-80-110, and Condition 6 of 09/11/01 Permit)

B. Finishing Range Monitoring

1. At least one time per calendar week an observation of the presence of visible emissions from finishing range #181 and 182 stacks shall be made. The presence of visible emissions shall require the permittee to:

- a. take timely corrective action such that the source of the emissions resumes operation with no visible emissions, or
- b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9. The VEE shall be conducted for a minimum of six minutes. If any of the 15-second observations exceed 20 percent opacity, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the source of emissions resumes operation within the opacity limit specified in Condition V.A.3 of this section.

The permittee shall maintain a log of the weekly visual surveys and results to demonstrate compliance with this condition. The log shall include the name of the observer, the date and time of each weekly survey, and a description of the positions from which the survey was performed. For each location identified as having visible emissions, the log shall include any VEE recordings and a description of any corrective action taken. These logs shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.
(9 VAC 5-80-110 E, 9 VAC 5-80-110 K)

2. At least one time per calendar week an observation of the presence of visible emissions from finishing range #201, 207, 208, 209, and 411 stacks shall be made. The presence of visible emissions shall require the permittee to:
 - a. take timely corrective action such that the source of the emissions resumes operation with no visible emissions, or
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9. The VEE shall be conducted for a minimum of six minutes. If any of the 15-second observations exceed 20 percent opacity, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the source of emissions resumes operation within the opacity limit specified in Conditions V.A.1 or V.A.2 of this section.

The permittee shall maintain a log of the weekly visual surveys and results to demonstrate compliance with this condition. The log shall include the name of the observer, the date and time of each weekly survey, and a description of the positions from which the survey was performed. For each location identified as having visible emissions, the log shall include any VEE recordings and a description of any corrective action taken. These logs shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.
(9 VAC 5-80-110 E, 9 VAC 5-80-110 K)

C. Finishing Range Recordkeeping

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to:
 - a. Results of the weekly visual observation of the finishing range stacks as specified in Conditions V.B.1 and B.2 of this section, along with any corrective actions.
 - b. Monthly and annual VOC emissions (in tons) from the Aztec finishing range (#182). Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. The permittee will keep records of the equations, certified product data sheets or equivalent references, emission equations, and all supporting documentation.
 - c. Monthly and annual VOC emissions (in tons) from the Monforts finishing range (#181). Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. The permittee will keep records of the equations, certified product data sheets or equivalent references, emission equations, and all supporting documentation.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110, and Condition 10 of 09/11/01 Permit)

D. Finishing Range Testing

The finishing ranges shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9 VAC 5-40-30, 9 VAC 5-50-30, and 9 VAC 5-80-110)

VI. Screen Print Ranges (#401 - 405)

A. Screen Print Range Limitations

1. Visible emissions from the #403, 404, and 405 screen print ranges shall not exceed 10 percent opacity as determined by EPA Method 9 (reference 40 CFR60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction. (9 VAC 5-50-80, 9 VAC 5-80-110, Condition 5 of 10/29/92 Permit, Condition 5 of 09/28/94 Permit, and Condition 8 of 09/11/01 Permit)
2. Visible emissions from the #401 and 402 screen print ranges shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity. This condition applies at all times except during startup, shutdown, and malfunction. (9 VAC 5-50-80 and 9 VAC 5-80-110)

3. Emissions from the operation of the #403 screen print range shall not exceed the limits specified below:

Volatile Organic	30.1 tons/yr
Compounds	

Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period

(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 5 of 09/11/01 Permit)

4. Emissions from the operation of the #404 screen print range shall not exceed the limits specified below:

Volatile Organic	8.2 lbs/hr
25.3 tons/yr	
Compounds	

Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.

(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 4 of 10/29/92 Permit)

5. Emissions from the operation of the #405 screen print range shall not exceed the limits specified below:

Volatile Organic	18.3 lbs/hr
26.7 tons/yr	
Compounds	

Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.

(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 4 of 09/28/94 Permit)

B. Screen Print Range Monitoring

1. At least one time per calendar week an observation of the presence of visible emissions from the #403, #404, and #405 screen print range stacks shall be made. The presence of visible emissions shall require the permittee to:
 - a. take timely corrective action such that the source of the emissions resumes operation with no visible emissions, or
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9. The VEE shall be conducted for a minimum of six minutes. If any of the 15-second observations exceed 10 percent opacity, the

VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the source of emissions resumes operation within the opacity limit specified in Condition VI.A.1 of this section.

The permittee shall maintain a log of the weekly visual surveys and results to demonstrate compliance with this condition. The log shall include the name of the observer, the date and time of each weekly survey, and a description of the positions from which the survey was performed. For each location identified as having visible emissions, the log shall include any VEE recordings and a description of any corrective action taken. These logs shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.
(9 VAC 5-80-110 E, 9 VAC 5-80-110 K)

2. At least one time per calendar week an observation of the presence of visible emissions from the #401 and 402 screen print range stacks shall be made. The presence of visible emissions shall require the permittee to:
 - a. take timely corrective action such that the source of the emissions resumes operation with no visible emissions, or
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9. The VEE shall be conducted for a minimum of six minutes. If any of the 15-second observations exceed 20 percent opacity, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the source of emissions resumes operation within the opacity limit specified in Condition VI.A.2 of this section.

The permittee shall maintain a log of the weekly visual surveys and results to demonstrate compliance with this condition. The log shall include the name of the observer, the date and time of each weekly survey, and a description of the positions from which the survey was performed. For each location identified as having visible emissions, the log shall include any VEE recordings and a description of any corrective action taken. These logs shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.
(9 VAC 5-80-110 E, 9 VAC 5-80-110 K)

C. Screen Print Range Recordkeeping

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to:
 - a. Annual VOC emissions from the #401 and 402 screen print ranges, calculated monthly as the sum of each consecutive twelve (12) month period. The permittee

will keep records of the equations, certified product data sheets or equivalent references, emission equations, and all supporting documentation.

- b. Annual VOC emissions (in tons) from each of the screen print ranges (#403, #404, and #405) calculated monthly as the sum of each consecutive twelve (12) month period. The permittee will keep records of the equations, certified product data sheets or equivalent references, emission equations, and all supporting documentation.
- c. Results of the weekly visual observation of the screen print range stacks as specified in Conditions VI.B.1 and VI.B.2 of this section, along with any corrective actions.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110, and Condition 10 of 09/11/01 Permit)

D. Screen Print Range Testing

The screen print ranges shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9 VAC 5-40-30, 9 VAC 5-50-30, and 9 VAC 5-80-110)

VII. Thermosol Dye Ranges (#121 - 124)

A. Thermosol Dye Range Limitations

1. Visible emissions from thermosol dye range #124 shall not exceed 10 percent opacity. This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-50-80, 9 VAC 5-50-260, and Condition 6 of 01/06/00 Permit)
2. Visible emissions from the #122 thermosol dye range shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity. This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-50-80 and 9 VAC 5-80-110)
3. Visible emissions from the #121 and 123 thermosol dye ranges shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity.
(9 VAC 5-40-80 and 9 VAC 5-80-110)
4. Emissions from the operation of thermosol dye range #124 shall not exceed the limits specified below:

Volatile Organic
Compounds

38.9 tons/yr

Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.

These emission limits are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition VII.C.1.b of this section. (9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 5 of 01/06/00 Permit)

5. The throughput of fabric in thermosol dye range #124 shall not exceed 36,792,000 yards per year, calculated monthly as the sum of each consecutive 12-month period. (9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 3 of 01/06/00 Permit)
6. The approved fuels for thermosol dye range #124 are natural gas and propane. A change in the fuel may require a permit to modify and operate. (9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 3 of 01/06/00 Permit)

B. Thermosol Dye Range Monitoring

1. At least one time per calendar week an observation of the presence of visible emissions from thermosol dye range #124 stack shall be made. The presence of visible emissions shall require the permittee to:
 - a. take timely corrective action such that the source of the emissions resumes operation with no visible emissions, or
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9. The VEE shall be conducted for a minimum of six minutes. If any of the 15-second observations exceed 10 percent opacity, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the source of emissions resumes operation within the opacity limit specified in Conditions VII.A.1 of this section.

The permittee shall maintain a log of the weekly visual surveys and results to demonstrate compliance with this condition. The log shall include the name of the observer, the date and time of each weekly survey, and a description of the positions from which the survey was performed. For each location identified as having visible emissions, the log shall include any VEE recordings and a description of any corrective action taken. These logs shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request. (9 VAC 5-80-110 E, 9 VAC 5-80-110 K)

2. At least one time per calendar week an observation of the presence of visible emissions from the thermosol dye range stacks (#TDR 121 - 123) shall be made. The presence of visible emissions shall require the permittee to:
 - a. take timely corrective action such that the source of the emissions resumes operation with no visible emissions, or
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9. The VEE shall be conducted for a minimum of six minutes. If any of the 15-second observations exceed 20 percent opacity, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the source of emissions resumes operation within the opacity limit specified in Conditions VII.A.2 and A.3 of this section.

The permittee shall maintain a log of the weekly visual surveys and results to demonstrate compliance with this condition. The log shall include the name of the observer, the date and time of each weekly survey, and a description of the positions from which the survey was performed. For each location identified as having visible emissions, the log shall include any VEE recordings and a description of any corrective action taken. These logs shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.
(9 VAC 5-80-110 E, 9 VAC 5-80-110 K)

C. Thermosol Dye Range Recordkeeping

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to:
 - a. Annual VOC emissions from thermosol dye ranges #121, 122, 123, and 124. The permittee will keep records of the equations, certified product data sheets or equivalent references, emission equations, and all supporting documentation.
 - b. Annual throughput of fabric in thermosol dye range #124 and potential or actual VOC emissions calculated monthly as the sum of each consecutive twelve (12) month period, sufficient to show compliance with Condition VII.A.4. The permittee will keep records of the equations, certified product data sheets or equivalent references, emission equations, and all supporting documentation.
 - c. Results of the weekly visual observation of the thermosol dye range (#121 - 124) stacks as specified in Condition VII.B.1 and B.2 of this section, along with any corrective actions.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50, 9 VAC 5-80-110, and Condition 7 of 01/06/00 Permit)

D. Thermosol Dye Range Testing

The thermosol dye ranges (#121 - 124) shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. Test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 F and Condition 7 of 01/06/00 Permit)

VIII. Facility Wide Conditions

A. Existing source standard for visible emissions

Unless otherwise specified in this permit, no owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than 20 percent opacity, except for one six-minute period in any one hour of not more than 60 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this section.
(9 VAC 5-40-80)

B. New source standard for visible emissions

Unless otherwise specified in this permit, on or after the date on which the performance test required to be conducted by 9 VAC 5-50-30 is completed, no owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than 20 percent opacity, except for one six-minute period in any one hour of not more than 30 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this section.
(9 VAC 5-50-80)

IX. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 60 Subpart Da	NSPS for >250 MMBtu/hr Steam Generating Units	Subpart Da is not applicable because the 252 MMBtu/hr boiler is not a electric utility boiler.
40 CFR 60 Subpart Db	NSPS for 100-250 MMBtu/hr Steam Generating Units firing coal	Subpart Db is not applicable because the 190 MMBtu/hr boiler was installed in 1946, before the NSPS 1984 applicability date.
40 CFR 60 Subpart Db	NSPS for >100 MMBtu/hr Steam Generating Units	Subpart Db is not applicable because the 114 MMBtu/hr boiler was installed in 1950, before

Citation	Title of Citation	Description of Applicability
		the NSPS 1984 applicability date.
40 CFR 60 Subpart Kb	NSPS for >10,000 gallon VOC storage	Subpart Kb is not applicable because the two 18,000 gal. #2f.o. ASTs were installed in the 1960s, and the two 10,000 gal. acetic acid ASTs were installed prior to 1974, before the NSPS 1984 applicability date

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

X. General Conditions

A. Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the

previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.

5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
 - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.

- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:
 - (1) Exceedance of emissions limitations or operational restrictions;
 - (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.
- 7.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the South Central Regional Office, within four daytime business hours of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition X.C.3 in the General Conditions section of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the South Central Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the South Central Regional Office.

(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air

Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

J. Permit Action for Cause

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.

(9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.

(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.

(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.

(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.

(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, visual observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20)

P. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

Q. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

R. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

S. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.

(9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

T. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
 - d. The permittee notified the board of the malfunction within two working days following the time when the emissions limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, telegraph, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirement of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirements under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

U. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C and 9 VAC 5-80-260)

V. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

W. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

X. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).

(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Y. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

Z. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for

changes that are provided for in this permit.
(9 VAC 5-80-110 I)

AA. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

XI. NOx Budget Trading Program Requirements

This section represents the NOx Budget Trading permit, as required by 9 VAC 5-140-200 A, for each NOx Budget source required to have a federally enforceable permit

A. General Conditions

1. The NOx Budget Trading permit will be administrated in accordance with the DEQ's Title V operating permits regulations (9 VAC 5 Chapter 80 Article 1)
(9 VAC 5-140-200 A)
2. The following air emission unit has been determined to meet the applicability requirements as provided in 9 VAC 5-140-40 A.2.

Facility NOx Budget Units

Facility Unit ID	Unit NATS Account ID	Unit Name and description	Maximum Heat Capacity (MMBtu/hr)	Maximum Generation Capacity (megawatts)
17	50954000017	Combustion Engineering coal, #2 fuel oil, natural gas boiler; constructed 1952	252 MMBtu/hr input	N/A

(9 VAC 5-140-40 A)

3. This NOx Budget Trading permit will become effective on May 31, 2004.
(9 VAC 5-140-240.1)

B. Monitoring Requirements.

1. The owners and operators and, to the extent applicable, the NOx authorized account representative of each NOx Budget source and each NOx Budget unit at the source shall comply with the monitoring requirements of 9 VAC 5 Chapter 140 Article 8 (9 VAC 5-140-700 et seq.).
(9 VAC 5-140-60 B.1)
2. The emissions measurements recorded and reported in accordance with 9 VAC 5 Chapter 140 Article 8 (9 VAC 5-140-700 et seq.) (Subpart H of 40 CFR Part 75 and 40 CFR Part 97) shall be used to determine compliance by the unit with the NOx Budget emissions limitation under paragraphs XI.C.1 through XI.C.8.
(9 VAC 5-140-60 B.2)

C. Nitrogen oxides requirements.

1. The owners and operators of each NOx Budget source and each NOx Budget unit at the source shall hold NOx allowances available for compliance deductions under 9 VAC 5-140-540 A, B, E, or F, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with 9 VAC 5 Chapter 140 Article 8 (9 VAC 5-140-700 et seq.), plus any amount necessary to account for actual utilization under 9 VAC 5-140-420 E for the control period or to account for excess emissions for a prior control period under 9 VAC 5-140-540 D or to account for withdrawal from the NOx Budget Trading Program, or a change in regulatory status, of a NOx Budget opt-in unit under 9 VAC 5-140-860 or 9 VAC 5-140-870.
(9 VAC 5-140-60 C.1)
2. Each ton of nitrogen oxides emitted in excess of the NOx Budget emissions limitation shall constitute a separate violation 9 VAC 5 Chapter 140, the Clean Air Act, and Virginia Air Pollution Control Law.
(9 VAC 5-140-60 C.2)
3. A NOx Budget unit shall be subject to the requirements under 9 VAC 5-140-60 C.1 (Condition XI.C.1) starting on May 31, 2004.
(9 VAC 5-140-60 C.3)
4. NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with 9 VAC 5 Chapter 140 Article 5 (9 VAC 5-140-400 et seq.), 9 VAC 5 Chapter 140 Article 6 (9 VAC 5-140-500 et seq.), 9 VAC 5 Chapter 140 Article 7 (9 VAC 5-140-600 et seq.), and 9 VAC 5 Chapter 140 Article 9 (9 VAC 5-140-800 et seq.).
(9 VAC 5-140-60 C.4)

5. A NOx allowance shall not be deducted, in order to comply with the requirements under 9 VAC 5-140-60 C.1 (Condition XI.C.1) for a control period in a year prior to the year for which the NOx allowance was allocated.
(9 VAC 5-140-60 C.5)
6. A NOx allowance allocated by the DEQ or the administrator under the NOx Budget Trading Program is a limited authorization to emit one ton of nitrogen oxides in accordance with the NOx Budget Trading Program. No provision of the NOx Budget Trading Program, the NOx Budget permit application, the NOx Budget permit (Section XI), or an exemption under 9 VAC 5-140-50 and no provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.
(9 VAC 5-140-60 C.6)
7. A NOx allowance allocated by the DEQ or the administrator under the NOx Budget Trading Program does not constitute a property right.
(9 VAC 5-140-60 C.7)
8. Upon recordation by the administrator under 9 VAC 5 Chapter 140 Article 6 (9 VAC 5-140-500 et seq.), 9 VAC 5 Chapter 140 Article 7 (9 VAC 5-140-600 et seq.), or 9 VAC 5 Chapter 140 Article 9 (9 VAC 5-140-800 et seq.), every allocation, transfer, or deduction of a NOx allowance to or from a NOx Budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, the NOx Budget permit (Section XI) of the NOx Budget unit by operation of law without any further review.
(9 VAC 5-140-60 C.8)

D. Excess emissions requirements.

The owners and operators of a NOx Budget unit that has excess emissions in any control period shall:

1. Surrender the NOx allowances required for deduction under 9 VAC 5-140-540 D 1; and
2. Pay any fine, penalty, or assessment or comply with any other remedy imposed under 9 VAC 5-140-540 D 3.

(9 VAC 5-140-60 D)

E. Recordkeeping and Reporting Requirements.

The following requirements concerning recordkeeping and reporting shall apply:

1. Unless otherwise provided, the owners and operators of the NOx Budget source and each NOx Budget unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created.

This period may be extended for cause, at any time prior to the end of five years, in writing by the DEQ or the administrator.

- a. The account certificate of representation for the NOx authorized account representative for the source and each NOx Budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 9 VAC 5-140-130; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- b. All emissions monitoring information, in accordance with 9 VAC 5 Chapter 140 Article 8 (9 VAC 5-140-700 et seq.); provided that to the extent that 9 VAC 5 Chapter 140 Article 8 (9 VAC 5-140-700 et seq.) provides for a three-year period for recordkeeping, the three-year period shall apply.
- c. Copies of all reports, compliance certifications, and other submissions and all records made or required under the NOx Budget Trading Program.
- d. Copies of all documents used to complete a NOx Budget permit application and any other submission under the NOx Budget Trading Program or to demonstrate compliance with the requirements of the NOx Budget Trading Program.

(9 VAC 5-140-60 E.1)

2. The NOx authorized account representative of a NOx Budget source and each NOx Budget unit at the source shall submit the reports and compliance certifications required under the NOx Budget Trading Program, including those under 9 VAC 5 Chapter 140 Article 4 (9 VAC 5-140-300 et seq.), 9 VAC 5 Chapter 140 Article 8 (9 VAC 5-140-700 et seq.), or 9 VAC 5 Chapter 140 Article 9 (9 VAC 5-140-800 et seq.).

(9 VAC 5-140-60 E.1)

F. Liability

1. Any person who knowingly violates any requirement or prohibition of the NOx Budget Trading Program, a NOx Budget permit, or an exemption under 9 VAC 5-140-50 shall be subject to enforcement pursuant to applicable State or Federal law.
(9 VAC 5-140-60 F.1)
2. Any person who knowingly makes a false material statement in any record, submission, or report under the NOx Budget Trading Program shall be subject to criminal enforcement pursuant to the applicable State or Federal law.
(9 VAC 5-140-60 F.2)

3. No permit revision shall excuse any violation of the requirements of the NOx Budget Trading Program that occurs prior to the date that the revision takes effect.
(9 VAC 5-140-60 F.3)
4. Each NOx Budget source and each NOx Budget unit shall meet the requirements of the NOx Budget Trading Program.
(9 VAC 5-140-60 F.4)
5. Any provision of the NOx Budget Trading Program that applies to a NOx Budget source or the NOx authorized account representative of a NOx Budget source shall also apply to the owners and operators of such source and of the NOx Budget units at the source.
(9 VAC 5-140-60 F.5)
6. Any provision of the NOx Budget Trading Program that applies to a NOx Budget unit or the NOx authorized account representative of a NOx budget unit shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under 9 VAC 5 Chapter 140 Article 8 (9 VAC 5-140-700 et seq.), the owners and operators and the NOx authorized account representative of one NOx Budget unit shall not be liable for any violation by any other NOx Budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.
(9 VAC 5-140-60 F.6)

G. Effect on Other Authorities

No provision of the NOx Budget Trading Program, a NOx Budget permit application, a NOx Budget permit, or an exemption under 9 VAC 5-140-50 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx Budget source or NOx Budget unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.
(9 VAC 5-140-60 G)

H. Incorporation by Reference

Each NOx Budget permit is deemed to incorporate automatically upon recordation by the Administrator under 9 VAC 5 Chapter 140 Article 6 (9 VAC 5-140-500 et seq.), 9 VAC 5 Chapter 140 Article 7 (9 VAC 5-140-600 et seq.), or 9 VAC 5 Chapter 140 Article 9 (9 VAC 5-140-800 et seq.), every allocation, transfer, or deduction of a NOx allowance to or from the compliance accounts of the NOx Budget units covered by this permit or the overdraft account of the NOx Budget source covered by this permit.
(9 VAC 5-140-230)